

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

The Provident Bank,

Plaintiff,

vs.

Douglas W. McManus and Sharon
McManus,

Defendants.

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C/A No. 0:12-0290-MBS

**ORDER GRANTING DEFAULT
JUDGMENT**

Pursuant to Rule 55(b) of the Federal Rules of Civil Procedure and upon Plaintiff The Provident Bank's Motion for Entry of Default and Default Judgment, I find that:

1. On January 31, 2012, Plaintiff brought this action against Defendants Douglas W. McManus and Sharon McManus.

2. Pursuant to and as alleged in the Verified Complaint and Affidavit of Default, as of March 19, 2012, Plaintiff seeks a sum certain of the outstanding balance due under the Note of \$238,186.44, which consists of a principal balance owed of \$223,609.56, interest accrued totaling \$13,794.28, and fees totaling \$782.60.

3. In the Verified Complaint, Plaintiff also seeks to recover from Defendants attorneys' fees and costs that it incurred in connection with the captioned lawsuit in the amount of \$1,868.00, as provided for in the Note between the parties attached to the Verified Complaint and providing for a reasonable attorney's fee of ten percent of the principal sum due.

4. Plaintiff served Defendant Sharon McManus with the Summons and Verified Complaint on February 4, 2012. ECF No. 6.

5. Plaintiff served Defendant Douglas W. McManus with the Summons and Verified

Complaint on February 20, 2012. ECF No. 7.

6. Defendants failed to plead or otherwise defend said Verified Complaint and failed to make an appearance by affidavit or otherwise, and both are in default.

7. Plaintiff provided Defendants notice of its Motion for Entry of Default and Default Judgment and Affidavit of Attorneys' Fees by first class mail to Defendants' last known addresses. ECF No. 10, 4.

8. Defendants are not minors or incompetent persons or members of the Armed Forces entitled to protection under the Servicemembers Civil Relief Act, 50 App. U.S.C.A. § 532. ECF Nos. 10-3, 12.

9. The Clerk of Court entered default on March 21, 2012. ECF No. 11.

NOW, THEREFORE, upon motion of Plaintiff, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Plaintiff The Provident Bank hereby have and recover from Defendants Douglas W. McManus and Sharon McManus, JOINT AND SEVERALLY, the sum certain of \$240,055.04, plus interest at the legal rate.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
Chief United States District Judge

Columbia, South Carolina

April 6, 2012.